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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA, *ex*  
*rel.* BOBBY BLIZZARD,

*Plaintiffs,*

v.

BEAM BROTHERS TRUCKING, INC.,

*Defendant.*

Honorable Susan D. Wigenton, U.S.D.J.

Civil Action No. 10-657(SDW)

**FILED IN CAMERA AND  
UNDER SEAL**

**JOINT STIPULATION OF DISMISSAL**

Pursuant to Federal Rule of Civil Procedure 41(a)(1), the United States and the Relator Bobby Blizzard ("Relator") stipulate to the dismissal of the claims in this action initiated pursuant to the *qui tam* provisions of the False Claims Act, 31 U.S.C. §§ 3729-3733, on behalf of the United States, subject to the terms of a settlement agreement between the United States, the Relator, Beam Bros. Trucking, Inc. ("Defendant"), Gerald Beam and Garland Beam, which agreement was effective December 29, 2017 ("Settlement Agreement"). The dismissal shall be with prejudice as to the Relator. The dismissal shall be with prejudice as to the United States with respect to Covered Conduct, as that term is defined in the Settlement Agreement,

and otherwise without prejudice as to the United States. Defendant has informed counsel for the United States that it concurs with this joint stipulation of dismissal.

This stipulation does not dismiss: (1) claims that the Relator may have in this action, pursuant to 31 U.S.C. § 3730(d)(1), for a share of the proceeds paid to the United States pursuant to the Settlement Agreement; (2) claims that the Relator has asserted in this action against the Defendant, pursuant to 31 U.S.C. § 3730(d)(1), for attorneys' fees and costs; and (3) claims that the Relator has asserted in this action against the Defendant, pursuant to 31 U.S.C. § 3730(h), for retaliatory discharge. Each party to this stipulation of dismissal shall bear its own costs, fees and expenses with respect to the claims asserted in this action on behalf of the United States.

Respectfully submitted,

CHAD A. READLER  
ACTING ASSISTANT ATTORNEY GENERAL

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s/Timothy J. McInnis

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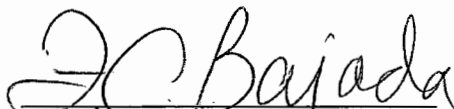
521 Fifth Avenue, 17th Floor

New York, NY 10175-0038

Attorney for the Relator

CERTIFICATE OF SERVICE

I hereby certify that this pleading has been served on counsel for the Relator and counsel for the Defendant.

A handwritten signature in black ink, reading "FC Bajada". The signature is written in a cursive, flowing style.

FRANCES C. BAJADA

Assistant United States Attorney